

173250

NHTSA-01-11157-41

Congress of the United States

Washington, DC 20515

April 26, 2002

DEPT. OF TRANSPORTATION
02 MAY 28 AM 10:25

The Honorable Jeffrey Runge, M.D.
Administrator
National Highway Traffic Safety Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

EXECUTIVE SECRETARIAT
2002 MAY 13 A 10:31
NATIONAL HIGHWAY
TRAFFIC SAFETY ADM.

Re: NHTSA Docket No. 11157 (Tire Labelling)

Dear Dr. Runge:

During the TREAD Act oversight hearing on February 28, 2002, we expressed concern about NHTSA's current proposal to require a tire's identification number (TIN) to appear on both sides of the tire. Since many of the tire industry employees potentially affected by this proposal are our constituents, we continue to have serious issues with this proposal and believe that it warrants a close level of oversight and review.

We have learned that you witnessed the difficulties associated with putting the TIN on both sides of the tire during your recent tour of several tire manufacturing plants. We commend you for these visits. Your willingness to work with the industry to gain an understanding of the tire manufacturing process will benefit the agency and the American consumer.

However, the fact remains that no uniform procedures exist in the tire industry to safely place the TIN on both sides of the tire without shutting down the mold press. It is our understanding that, in a mass production situation, it is extremely unsafe to regularly insert a person into the hot, top-half of a modern tire press where the temperature exceeds 300 ° F.

In addition to this employee safety problem, shutting down every tire mold press for one work shift per week will decrease productivity and negatively affect workers' jobs. The tire industry estimates that the cost to place the TIN on both sides of the tire alone will exceed \$220 million a year, with an additional \$113 million in one-time, non-recurring costs. Under E.O. 12866, the proposed rule is therefore a significant regulatory action and requires the agency to prepare a quantitative assessment of the anticipated costs and benefits. Furthermore, these costs will most likely be passed along, in whole or part, to the consumer.

We question whether the minimal benefit to the consumer resulting from this proposal would outweigh the potential danger to employees and the costs imposed on the industry and the economy.

It is our understanding that the tire industry is willing to change its current manufacturing practice to ensure that consumers have easier access to important tire information. Tire

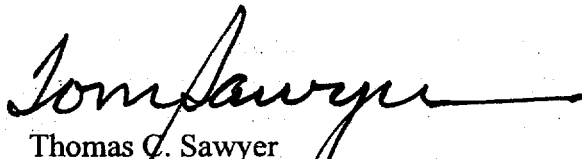
Dr. Jeffrey Runge
May 2, 2002
Page 2

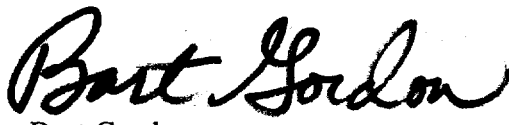
manufacturers have suggested that either an abbreviated TIN could appear on one side of the tire with the full TIN remaining intact on the other side or that the TIN could be displayed on the side of the tire that is intended to be mounted on the outside of the vehicle. These proposals appear to address the policy goal of allowing consumers to determine more readily whether their tires are subject to a recall or customer satisfaction campaign.

Given the potential danger to workers and the significant cost associated with the current NHTSA proposal, we hope the agency will carefully consider these alternatives as a means of achieving the same policy objectives.

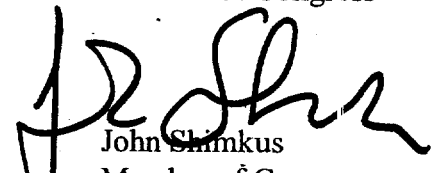
Thank you for your consideration. Please keep us informed as this rulemaking proceeds through the regulatory process.

Sincerely,


Thomas C. Sawyer
Member of Congress


Bart Gordon
Member of Congress


Ed Bryant
Member of Congress


John Shimkus
Member of Congress

cc: The Hon. John D. Graham
Office of Information and Regulatory Affairs
Office of Management and Budget